

Bill Richardson
GOVERNOR



Reese Fullerton
EXECUTIVE DIRECTOR

State of New Mexico
OFFICE OF WORKFORCE TRAINING & DEVELOPMENT

April 20, 2005

Mr. Joseph Juarez, Regional Administrator
U.S. Department of Labor
525 Griffin St., Room 317
Dallas, Texas 75202

Dear Mr. Juarez

The Office of Workforce Training and Development, New Mexico's state administrative entity for Workforce Investment Act (WIA) activities, is requesting an extension to the waiver previously granted via correspondence from Ms. Emily Stover-DeRocco dated June 3, 2004 which expires on June 30, 2005, copy attached.

Extension of the waiver would eliminate the 20% limitation on transferring WIA funds between the Dislocated Worker and Adult funding streams for a two-program-year period -- PY 2005 and PY 2006 thorough June 30, 2007. This waiver request complies with the WIA Section 189(i)(4)(B) and Federal Regulations 20 CFR 661.420(c).

Granting this waiver would allow New Mexico the opportunity to provide local Workforce Boards the ability to transfer up to 100% of funds between the Dislocated Worker and Adult programs, thus enabling Local Boards to better meet the needs of New Mexico's diverse population and workforce. Your approval of this request would be greatly appreciated as we mutually seek to deliver the most appropriate workforce training services to the citizens of New Mexico.

If you or your staff have any questions concerning this wavier request, please contact Mr. Michael Mulligan, OWTD Chief Financial Officer at (505) 827-0067.

Sincerely,

Reese Fullerton

REESE FULLERTON, Executive Director
Office of Workforce Training & Development

cc: Raymond Gonzales, USDOL Federal Representative
Jimmie Shearer, Chairman, Eastern Area WDB
Robert J. Davey, Chairman Central WDB
Carlos Gonzales, Chairman, Northern WDB
Bill Buhler, Chairman, Southwestern WDB

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages **5**

To SEAN KELLY	From NICK LALPUIS
Dept./Agency	Phone # 214 767-2088
Fax # 202 693-3015	Fax # 5122
NSN 7540-01-317-7368	5080-101
GENERAL SERVICES ADMINISTRATION	

Aspen Plaza • 1596 Pacheco Street • Suite 201 • Santa Fe, New Mexico 87505 • 505.827.6827 • Fax 505.827.6812

U.S. Department of Labor

Assistant Secretary for
Employment and Training
Washington, D.C. 20210

JUN 8 2004



The Honorable Bill Richardson
Governor of New Mexico
State Capitol
Santa Fe, New Mexico 85701

Dear Governor Richardson:

It is with pleasure that I respond to the State of New Mexico's request for an extension of a Workforce Investment Act (WIA) waiver of the 20 percent funds transfer limitation at WIA Section 133(b)(4), under the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E and Sections 8-10 of the Wagner-Peyser Act.

The State of New Mexico's request (copy enclosed) indicates that a waiver extension will provide local workforce investment boards with continued flexibility to respond to changes in their local labor markets, and meet the needs of the state's diverse population. The waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c) and appears to meet the standard for approval at 20 CFR 661.420(e).

Accordingly, the State of New Mexico is granted an extension of the waiver through June 30, 2005. The waiver allows the state to approve local area requests to transfer up to 100 percent of local area allocations between the Adult and Dislocated Worker programs.


The granted waiver is incorporated by reference into the state's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and also constitutes a modification of the state's approved five-year strategic plan. A copy of each letter should be filed with the state's WIA Grant Agreement and the state's approved five-year strategic plan, as appropriate.

As you know, your waiver extension for funds transferability is consistent with one of the improvements that the Administration is seeking in the reauthorization of the Workforce Investment Act-the consolidation of the WIA Adult, WIA Dislocated Worker and Wagner-Peyser Act (Employment Service) funding streams.

This consolidation would provide states with maximum flexibility to meet unique workforce needs. In the meantime, we hope this waiver extension will assist your state in meeting its workforce needs and improving programmatic outcomes.

We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,



Emily Stover DeRotco

Enclosure